



General Assembly

***Amendment***

***January Session, 2019***

**LCO No. 8048**



Offered by:

REP. DEMICCO, 21<sup>st</sup> Dist.

REP. D'AGOSTINO, 91<sup>st</sup> Dist.

To: House Bill No. 5308

File No. 50

Cal. No. 44

***"AN ACT CONCERNING VEGETATION MANAGEMENT ALONG  
STATE HIGHWAYS BY THE DEPARTMENT OF  
TRANSPORTATION."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) (a) The Department of  
4 Transportation shall develop guidelines governing the management of  
5 vegetation and tree removal along state highways. Such guidelines  
6 shall include provisions for, but shall not be limited to: (1) Safety of the  
7 traveling public, (2) general roadside vegetation management activities  
8 performed by the department, including, but not limited to, mowing,  
9 herbicide application, grassing, replanting, limb management, tree  
10 removal and debris removal, (3) beautification and enhancements, (4)  
11 visibility enhancement, (5) work zone traffic control, and (6) worker  
12 safety. For vegetation management and tree removal, such guidelines  
13 shall require the department to consider the environmental impact of  
14 such work, including, but not limited to: (A) Preventing invasive tree,

15 brush or plant species growth and impact; (B) storm water run-off; (C)  
16 erosion; (D) replanting of vegetation species to expand and improve  
17 pollinator corridor habitat; (E) reduced mowing; and (F) the effect on  
18 scenic highways or other similarly designated roadways.

19 (b) Such guidelines concerning vegetation management shall be  
20 reviewed and approved by a licensed arborist if the services of such a  
21 licensed arborist are available from a licensed arborist who is  
22 employed at either the Department of Energy and Environmental  
23 Protection or the Department of Transportation.

24 (c) The guidelines developed pursuant to this section shall be: (1)  
25 Posted on the Department of Transportation's Internet web site, (2)  
26 updated, as necessary, to comply with provisions of federal and state  
27 law concerning vegetation management on state highways, and (3)  
28 reviewed by all maintenance and contractor personnel prior to the  
29 commencement of any vegetation management activity.

30 (d) The provisions of this section shall not apply to the removal of  
31 any trees or vegetation that constitute an immediate public hazard or  
32 any Department of Transportation construction project that constitutes  
33 such an immediate public hazard.

34 (e) A copy of the guidelines developed in accordance with this  
35 section shall be provided by the Department of Transportation to the  
36 joint standing committees of the General Assembly having cognizance  
37 of matters relating to the environment and transportation.

38 Sec. 2. (NEW) (*Effective from passage*) Not later than August first of  
39 each year, the Department of Transportation shall report the amount of  
40 funds the department expended for vegetation management for the  
41 last quarter of the fiscal year ending the previous June thirtieth and the  
42 amount of funds said department allocated for the first half of the  
43 forthcoming fiscal year to the joint standing committees of the General  
44 Assembly having cognizance of matters relating to the environment,  
45 finance and transportation."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section